IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1909 OF 2005
IN
CUSTOM APPEAL NO.2 OF 2005

M/s.Seaking Marine Services .. Appellant
V/s
Commissioner of Customs (Preventive) .. Respondents.

Mr.Jaydeep Trivedi i/by M/s.Jurists Uno for Appellant.
Mr.Y.S.Bhate with Mr.A.S.Rao for Respondents.

CORAM: S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 14/07/2005.

P.C.:

1. Heard the learned Counsel for the parties. By this Notice of Motion, the Appellant is seeking to recall the order dated 15.6.2005 whereby the Appeal was dismissed in default. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for recalling the order of dismissal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a). Place the Appeal on board for final hearing on 4.8.2005.

(S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)